

REMARKS

This Amendment, submitted in response to the Office Action dated June 9, 2005, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-4 have been examined, and claims 2-4 have been cancelled without prejudice or disclaimer.

I. Preliminary Matters

Applicants thank the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119, and receipt of a certified copy of the priority document submitted August 29, 2001. Also, Applicants thank the Examiner for considering the references cited with the Information Disclosure Statement filed December 11, 2001 and for indicating that the Formal Drawings filed May 4, 2001 are accepted.

Also, the Examiner has objected to the specification because the title is not descriptive. The title has been amended in a manner believe to overcome the objection.

II. Rejections under 35 U.S.C. § 102(e) in view of U.S. Patent No. 5,729,516 to Tozaki et al. ("Tozaki")

The Examiner had rejected claims 1-4 under 35 U.S.C. § 102(e) as allegedly being anticipated by Tozaki. As indicated above claims 2-4 have been cancelled without prejudice or disclaimer, and thus, the rejection of these claims is moot..

Also, Applicants respectfully submit that claim 1 is patentable over the cited reference. For example, claim 1 recites an extractor for extracting picture data of I picture including a watermark. In contrast, Tozaki discloses a copy flag CF1 embedded in a video manager (Fig. 3)

which is located apart from the video information VTS on the recording medium (col. 6, lines 11-12; col. 9, lines 17-54). Thus, the reference does not disclose the claimed watermark, and claim 1 is patentable for at least this reason.

III. Newly Added Claims

Applicants have added new claims 5-11. Since claims 5 and 6 recite features similar to those discussed above in conjunction with claim 1, Applicants submit that they are patentable. Also, claims 7-11 are allowable at least by virtue of their dependency on claim 6.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



David P. Emery
Registration No. 55,154

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: September 7, 2005